

# NOTICE OF INTENT

## Department of Environmental Quality Office of Air Quality and Radiation Protection Air Quality Division

Miscellaneous Amendments  
(LAC 33:III.509, 918, 919,  
2123, and 3107)(AQ136)

Under the authority of the Louisiana Environmental Quality Act, R.S. 30:2001 et seq., and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the secretary gives notice that rulemaking procedures have been initiated to amend the Air Quality Division regulations, LAC 33:III.509, 918, 919, 2123, and 3107 (AQ136).

This proposed rule will provide miscellaneous corrections in Chapters 5, 9, 21, and 31. It will remove newly designated ozone attainment parishes from tables in Chapters 5 and 9 and add Livingston Parish to §509 that was omitted in error. It will also correct a mailing address in Chapter 31, remove a reporting requirement in Chapter 9, and clarify LAC 33:III.2123 to include oilfield tubulars and ancillary oilfield equipment.

This proposed rule meets the exceptions listed in R.S. 30:2019(D)(3) and R.S. 49:953(G)(3), therefore, no report regarding environmental/health benefits and social/economic costs is required.

### **Title 33 ENVIRONMENTAL QUALITY Part III. Air**

#### **Chapter 5. Permit Procedures**

##### **§509. Prevention of Significant Deterioration**

\* \* \*

[See Prior Text in A-B.Baseline Area.2]

Ascension
Calcasieu
East Baton Rouge
Iberville
Livingston
Point Coupee
West Baton Rouge

\* \* \*

[See Prior Text in B.Baseline Concentration-S.4]

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2054.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Nuclear Energy, Air Quality Division, LR 13:741 (December 1987), amended LR 14:348 (June 1988), LR 16:613 (July 1990), amended by the Office of Air Quality and Radiation Protection, Air Quality Division, LR 17:478 (May 1991), LR 21:170 (February 1995), LR 22:

#### **Chapter 9. General Regulations on Control of Emissions and Emission Standards**

##### **§918. Recordkeeping and Annual Reporting**

Data for emission reports should be captured annually. These reports are to be submitted to the department by March 31 of each year (for the period January 1 to December 31 of the previous year) unless otherwise directed by the department. The report should include all data applicable to the emission source or sources which may be required under LAC 33:III.919.A.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2054.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Nuclear Energy, Air Quality Division, LR 13:741 (December 1987), amended by the Office of Air Quality and Radiation Protection, Air Quality Division, LR 22:

##### **§919. Emission Inventory**

Emission inventory data shall be submitted to the Louisiana Department of Environmental Quality (DEQ) on magnetic media in the format specified by the Air Quality Division. Facilities with less than five point sources, may elect to submit Emission Inventory Coding (EIC) forms in lieu of the magnetic media. Facilities

are defined as all emission points, fugitive, area, mobile, under common control on contiguous property. Point source is defined as the point of emission which should have a Source Classification Code. Stationary source is defined as a group of point sources. Detailed instructions are provided on an annual basis for completing and submitting emissions inventories which define requirements applicable to facilities, point sources, area sources and mobile sources.

\* \* \*

[See Prior Text in A]

1. Any facility in an attainment area or unclassified area that emits or has the potential to emit 100 tons per year (TPY) or more of any contaminant [including volatile organic compounds (VOC)] for which a National Ambient Air Quality Standard (NAAQS) has been issued; or any facility in a marginal, moderate, or serious ozone nonattainment area (See Table 1) that emits or has the potential to emit 10 TPY VOC, 25 TPY nitrogen oxide (NO<sub>x</sub>), or 100 TPY carbon monoxide (CO) or any other contaminant for which a NAAQS has been issued; or any facility that emits or has the potential to emit 50 TPY or more of VOC or 100 TPY or more of any other contaminant for which a NAAQS has been issued in an area designated as an ozone adjoining area (See Table 2) to a listed marginal, moderate, or serious ozone nonattainment area. (Potential to emit refers to the "allowables" or permitted emission limits in a facility's permit.) If any pollutant meets the criteria above, then all other air pollutants for which a NAAQS has been issued must be included in the report regardless of level of emissions.

\* \* \*

[See Prior Text in A.2]

3. In Louisiana, the following facility classes or categories are exempted: None.

<b>Table 1</b>
<b>Ozone Nonattainment Parishes</b>
Ascension - Serious
Calcasieu - Marginal
East Baton Rouge - Serious
Iberville - Serious
Livingston - Serious
Pointe Coupee - Serious
West Baton Rouge - Serious

<b>Table 2</b>
<b>Adjoining Parishes</b>
Assumption
Avoyelles
Beauregard
Cameron
East Feliciana
Iberia
Jefferson Davis
St. Helena
St. James
St. John the Baptist
St. Landry
St. Martin
Tangipahoa
West Feliciana

\* \* \*

[See Prior Text in B-F]

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 30:2054.

**HISTORICAL NOTE:** Promulgated by the Department of Environmental Quality, Office of Air Quality and Nuclear Energy, Air Quality Division, LR 13:741 (December 1987), repealed and repromulgated by the Office of Air Quality and Radiation Protection, Air Quality Division LR 19:184 (February 1993), repromulgated LR 19:485 (April 1993), amended LR 19:1418 (November 1993), LR 20:1101 (October 1994), LR 22:

## **Chapter 21. Control of Emission of Organic Compounds**

### **Subchapter B. Organic Solvents**

#### **§2123. Organic Solvents**

\* \* \*

[See Prior Text in A-C.10]

	<b>Daily Weighted Average VOC Emission Limitation</b>	
<b>Affected Facility</b>	<b>Lbs. Per Gal. of Coating as applied (minus water and exempt solvent)</b>	<b>Kgs. Per Liter of Coating as applied (minus water and exempt solvent)</b>
11. Surface Coating for Marine Vessels and Oilfield Tubulars and Ancillary Oilfield Equipment.		
<p>* * *</p> <p>[See Prior Text in 11.a]</p>		

		Daily Weighted Average VOC Emission Limitation
Affected Facility	Lbs. Per Gal. of Coating as applied (minus water and exempt solvent)	Kgs. Per Liter of Coating as applied (minus water and exempt solvent)
b. Except for the parishes of Ascension, Calcasieu, East Baton Rouge, Iberville, Livingston, Pointe Coupee, and West Baton Rouge, in which the VOC limitations in LAC 33:III.2123.C.11.a may not be exceeded, specialty marine coatings and coatings on oilfield tubulars and ancillary oilfield equipment with a VOC content not in excess of the following limits may be applied:		
* * *		
[See Prior Text in Heat Resistant-F.4]		

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2054.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Nuclear Energy, Air Quality Division, LR 13:741 (December 1987), amended LR 16:119 (February 1990), amended by the Office of Air Quality and Radiation Protection, Air Quality Division, LR 17:654 (July 1991), LR 18:1122 (October 1992), LR 22:

### **Chapter 31. Standards of Performance for New Stationary Sources**

#### **Subchapter A. General Provisions and Modifications**

##### **§3107. Address**

All requests, reports, applications, submittals and other communications pursuant to this Subchapter shall be submitted in duplicate to the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Box 82135, Baton Rouge, LA 70884-2135, to the attention of the administrative authority.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2054.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Nuclear Energy, Air Quality Division, LR 13:741 (December 1987), amended by the Office of Air Quality and Radiation Protection, Air Quality Division, LR 22:

A public hearing will be held on February 29, 1996, at 1:30 p.m. in the Maynard Ketcham Building, Room 326, 7290 Bluebonnet Boulevard, Baton Rouge, LA 70810. Interested persons are invited to attend and submit oral comments on the proposed amendments. Should individuals with a disability need an accommodation in order to participate please contact Patsy Deaville at the address given below or at (504) 765-0399.

All interested persons are invited to submit written comments on the proposed regulations. Commentors should reference this proposed regulation by Log AQ136. Such comments should be submitted no later than March 7, 1996, at 4:30 p.m., to Patsy Deaville, Investigations and Regulation Development Division, Box 82282, Baton Rouge, LA 70810 or to FAX number (504) 765-0486.

James B. Thompson, III  
Assistant Secretary

### **FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: Miscellaneous**

#### **I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)**

There are some cost (savings) to DEQ in that personnel time is no longer required to review a report and file space is not needed to maintain the report for the prescribed time.

#### **II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)**

This proposal will not have any effect on revenue collections of state or local governmental units.

#### **III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)**

Affected industries responding to Chapter 9 requirements will no longer be required to submit one type of annual

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report which will result in a savings of man hours and printing costs.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

This proposal will not have any known effect on competition and employment.

J. Dale Givens  
Secretary  
9601#045

Richard England  
Assistant to the  
Legislative Fiscal Officer